

REMARKS/ARGUMENTS

These Remarks are responsive to the Decision from the BPAI issued May 25, 2010 (“Decision”). Applicants respectfully request the re-opening of prosecution in this matter. Applicants note that the rejections of the claims in the prior Office Action have been reversed by the BPAI. Applicants respectfully request reconsideration of the rejections of claims 13-18 in view of the foregoing amendments and following remarks. Applicants also respectfully request reconsideration and allowance of all of the claims pending in the application.

Rejections Of Claims 13-18 Under 35 U.S.C. § 101

Claims 13-18 are rejected under 35 U.S.C. § 101 as being allegedly being directed towards non-statutory subject matter. *See* BPAI decision in Appeal 2009-004977, pages 12-13.

Applicants have amended claim 13 to indicate that claim 13 is directed towards a “non-transitory processor-readable medium.” In view of the amendments, Applicants respectfully submit that the non-statutory subject matter rejections are now moot.

Claims 14-18 all depend ultimately from independent claim 13. As such, each of these dependent claims are now also directed toward statutory subject matter.

For at least the above reasons, the Applicants respectfully request the withdrawal of the rejections of claims 13-18 under 35 U.S.C. § 101.

CONCLUSION

In view of the foregoing amendments and arguments, it is respectfully submitted that this application is in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

It is believed that no additional fees are due for filing this Response. However, the Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees, to the undersigned's Deposit Account No. 50-0206. Please charge any fees due for consideration of this paper and reopening of prosecution to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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By:


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